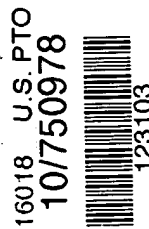




Atty. Dkt. No. 047711-0335



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John J. Shin,
Nandita N. Patel,
Sami Kanderian Jr.,
Lu Wang,
Richard Yoon

Title: REAL TIME SELF-
ADJUSTING CALIBRATION
ALGORITHM

Prior Appl. No.: 10/141,375

Prior Appl.
Filing Date: 05/08/2002

Examiner: Unassigned

Art Unit: Unassigned

CONTINUING PATENT APPLICATION
TRANSMITTAL LETTER

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

☐ Continuation ☐ Division ☒ Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

☐ Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

- ☒ Specification, Claim(s), and Abstract (59 pages).
- ☒ Formal drawings (18 sheets, Figures 1-23).
- ☐ Declaration and Power of Attorney (___ pages).
- ☐ Assignment of the invention to Medtronic MiniMed, Inc..
- ☐ Assignment Recordation Cover Sheet.
- ☐ Small Entity statement.
- ☐ Request for application not to be published with certification under 35 USC 122(b)(2)(B)(i).
- ☐ Information Disclosure Statement.
- ☐ Form PTO-1449 with copies of ___ listed reference(s).
- ☒ Petition for Acceptance of Color Drawings Under 37 CFR 1.84
- ☒ Application Data Sheet (37 CFR 1.76).

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total	61	- 20	= 41	x \$18.00	= \$738.00
Claims:					
Independ	6	- 3	= 3	x \$86.00	= \$258.00
ents:					
If any Multiple Dependent Claim(s) present:				+ \$290.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing				+ \$130.00	= \$130.00
of Executed Declaration and late payment of					
filing fee					
				SUBTOTAL:	= \$1896.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):					= \$0.00
				TOTAL FILING FEE:	= \$1,896.00

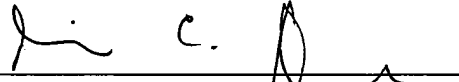
- ☐ A check in the amount of \$0.00 to cover the filing fee is enclosed.
- ☒ The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- ☐ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date December 31, 2003

FOLEY & LARDNER
Customer Number: 23392
Telephone: (310) 975-7963
Facsimile: (310) 557-8475

By 

Irvin C. Harrington, III
Attorney for Applicant
Registration No. 44,740

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 047711-0335

In re patent application of

John J. Shin et al.

Group Art Unit: Unassigned

Prior Appl. No. 10/141,375

Examiner: Unassigned

Prior Appl. Filing Date: May 8, 2002

For: REAL TIME SELF-ADJUSTING CALIBRATION ALGORITHM

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Commissioner:

I hereby certify that the following paper(s) and/or fee along with any attachments referred to or identified as being attached or enclosed are being deposited with the United States Postal Service as Express Mail (Express Mail Label No. EV060046999US) under 37 C.F.R. § 1.10 on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

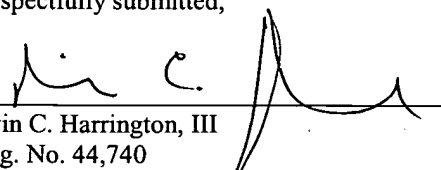
1. Continuing Patent Application Transmittal Letter (CIP)
2. Application Data Sheet
3. Specification, Claims and Abstract (59 pages)
4. Formal Drawings (18 sheets, Figs. 1-23)
5. Petition for Acceptance of Color Drawings Under 37 CFR 1.84
6. Postcard

Respectfully submitted,

December 31, 2003

Date

Foley & Lardner
2029 Century Park East, 35th Floor
Los Angeles, CA 90067-3021
Telephone: 310-277-2223
Facsimile: 310-557-8475


Irvin C. Harrington, III
Reg. No. 44,740

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John J. Shin et al.
Title: Real Time Self-Adjusting
Calibration Algorithm
Appl. No.: Not Yet Assigned
Filing Date: Concurrently Herewith
Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned

PETITION FOR ACCEPTANCE OF COLOR DRAWINGS
UNDER 37 C.F.R. 1.84

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

A. Petition

Pursuant to 37 C.F.R. §1.84, Applicants hereby request that color drawings for the above-identified application be accepted. The above-identified application contains twenty-three drawings, of which Figures 22 and 23 are in color.

Figures 22 and 23 of the above-identified application show graphs illustrating how a quantifier smoothes out raw signal data. Each of the graphs contain three curves representing respective data signals. Because the curves overlay each other, color drawings are necessary as the only practical medium by which to accurately depict each curve. Without the use of color, some of the curves become indistinguishable from one another.

B. Fee

The fee of \$130 set forth in 37 C.F.R. §1.17(h) may be charged to Deposit Account No. 50-0872.

C. Color Drawings

Figures 22 and 23 are included with this petition in triplicate.

D. Black and White Drawings

A black and white drawing that accurately depicts, to the extent possible, the subject matter shown in the color drawings is included herewith.

E. Statement

The application as filed includes a statement that the application includes color drawings.

Accordingly, Applicant respectfully requests that this Petition for Acceptance of Color Drawings be granted.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this petition under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date December 31, 2003

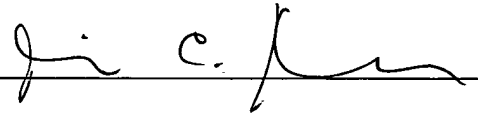
FOLEY & LARDNER

Customer Number: 23392

Telephone: (310) 975-7963

Facsimile: (310) 557-8475

By

A handwritten signature in black ink, appearing to read 'I. C. Harrington, III', written over a horizontal line.

Irvin C. Harrington, III
Attorney for Applicant
Registration No. 44,740